

APPROVED MINUTES
FLATHEAD COUNTY PLANNING BOARD

May 10, 2023

*Notice: These minutes are paraphrased to reflect the proceedings of the Flathead County Planning Board,
per MCA 2-3-212*

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. in 2nd Floor Conference Room of the South Campus Building, 40 11th Street West, Suite 200 Kalispell, Montana. Board members present were Jeff Larsen, Verdell Jackson, Sandra Nogal, Elliot Adams, Kevin Lake, Buck Breckenridge, and Gary Votapka. Greg Stevens had an excused absence. Erik Mack, Erin Appert, Zachary Moon, and Larissa Van Riet represented the Flathead County Planning & Zoning Office.

There were approximately 12 members of the public in attendance at the meeting.

[05:59:32 PM \(00:00:12\)](#)

A. Call to order and roll call

[Citizen Member - Elliot Adams: Present](#)

[Citizen Member - Gary Votapka: Present](#)

[Citizen Member - Greg Stevens: Absent](#)

[Citizen Member - Jeff Larsen: Present](#)

[Citizen Member - Kevin Lake: Present](#)

[Citizen Member - Sandra Nogal: Present](#)

[Citizen Member - Verdell Jackson: Present](#)

[Citizen Member - Buck Breckenridge: Present](#)

[05:59:53 PM \(00:00:33\)](#)

B. Pledge of Allegiance

[06:00:15 PM \(00:00:55\)](#)

C. Approval of the April 12, 2023 meeting minutes as revised

[Citizen Member - Sandra Nogal: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Absent](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Abstain](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Abstain](#)

[06:01:29 PM \(00:02:09\)](#)

D. Public comment on public matters that is within the jurisdiction of the Planning Board (2-3-103 M.C.A.)

[06:01:46 PM \(00:02:26\)](#)

E. Board members disclose any conflict of interests

Buck Breckenridge, disclosed a conflict of interest with FZC-23-06 (Agenda Item #4) and he will be stepping down during that public hearing.

[06:02:07 PM \(00:02:47\)](#)

F. Public Hearings: The Flathead County Planning Board will hold a public hearing on the following agenda item. Following the hearing and Board discussion, the Board may make a recommendation to the Board of County Commissioners for final action:

1.FZC-23-05 A zone change request from Location Acquisitions LLC, with technical assistance from KLJ Engineering, for property within the Two Bridges Zoning District. The proposal would change the zoning on parcels located at 7200 & 7240 Highway 2 East near Columbia Falls, MT from SAG-10 (Suburban Agricultural) to R-1 (Suburban Residential). The total acreage involved in the request is approximately 113.05 acres. **WE RECEIVED A REVISED APPLICATION FOR THIS ZONE CHANGE. THIS MATTER WILL NOW BE HEARD AT THE JUNE 14, 2023, PLANNING BOARD MEETING.**

[06:02:59 PM \(00:03:39\)](#)

2.FZC-22-01 A zone change request from Whitefish Land Surveying, on behalf of Conor & Stephanie Watson for property within the Prairie View Zoning District. The proposal would change the zoning on property located at 1411 Prairie View Road near Whitefish, MT from *SAG-10 (Suburban Agricultural)* to *SAG-5 (Suburban Agricultural)*. The total acreage involved is approximately 10.025 acres that can legally be described as follows: That portion of the North one-half of the Southwest one-quarter of the Northwest one-quarter (N½SW¼NW¼) of Section 36, Township 30 North, Range 22 West, P.M.M., Flathead County, Montana. Known as Tract 1 of Certificate of Survey No. 11713.



[Staff Report](#)



[Application](#)



[Site Map](#)

Larissa Van Riet reviewed Staff Report FZC-22-01 for the Board.

Applicant:

Conor and Stephanie Watson, Applicant, 1138 Meadowlark Lane. Applicants stated that they are building a home on the northside of the ten acres. They are proposing to split the property in to two five-acre parcels. The Applicant spoke to the surrounding zoning. The proposed division is intended to setup the property for future use for their family.

Agency Comment: None

Public Comment: None

Applicant Rebuttal: None

[06:06:46 PM \(00:07:26\)](#)

Motion to Adopt Staff Report FZC-22-01 as Findings-of Fact

[Citizen Member - Gary Votapka: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Absent](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Approve](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[06:07:40 PM \(00:08:20\)](#)

Motion to Forward a Positive recommendation of FZC-22-01 to the Board of County Commissioners

[Citizen Member - Gary Votapka: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Absent](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Approve](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[06:10:01 PM \(00:10:41\)](#)

3.FLV-23-01A request from Dr. Mark Lorang, on behalf of Gary W. Cockrell Revocable Trust for a major lakeshore variance to the fill standards of the Flathead County Lake and Lakeshore Protection Regulations (FCLR), specifically Sections 4.3F(2)(h) (2), (4), (5), and (6). The applicant is seeking to place approximately 336 cubic yards of gravel fill to create a dynamic equilibrium gravel beach within the lakeshore protection zone (LPZ) of Flathead Lake. The property is located at 664 Lutheran Camp Road, Lakeside, MT and has approximately 100 feet of shoreline.



Staff Report



Application

Erin Appert reviewed Staff Report FLV-23-01 for the Board.

Applicant:

Dr. Mark Lorang, Technical Representative, 22678 Highway 35. He discussed the impact to the neighbors with the dynamic equilibrium beach versus a sea wall or rip rap. He also discussed the need to involve all three property owners, as the waves do not know property boundary lines.

Gary Cockrell, Applicant, 107 N. Haven Drive. The Applicant stated that he has seen the work Dr. Mark Lorang has done with the Volunteer Park beach in Lakeside. The Applicant's beach has been eroding over the last 23 years. He spoke to the wear caused by waves on the crib dock that was installed in the 1950's. He spoke to how the dynamic equilibrium gravel beach will help distribute the erosion. He stated that this proposal will stabilize this beach for their lifetime and for the neighbors as well.

Agency Comment: None

Public Comment: None

Applicant Rebuttal: None

[06:18:08 PM \(00:18:48\)](#)

Motion to Adopt Staff Report FLV-23-01 as Findings-of Fact

[Citizen Member - Buck Breckenridge: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Absent](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Approve](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[06:18:59 PM \(00:19:39\)](#)

Motion to Forward a Positive recommendation of FLV-23-01 to the Board of County Commissioners

[Citizen Member - Buck Breckenridge: Motion](#)

[Citizen Member - Elliot Adams: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Absent](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Approve](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[06:20:28 PM \(00:21:08\)](#)

4.FZC-23-06 A zone change request from Richard M. Plumb Jr. and Kathleen L. Ament, for properties within the Evergreen Zoning District. The proposal would change the zoning on three (3) parcels located along Helena Flats Road and Solberg Drive in Kalispell, MT from *R-2 (One-Family Limited Residential)* to *R-5 (Two-Family Residential)*. The total acreage involved in the request is approximately 2.35 acres



Staff Report



Application



Vicinity Map

Larissa Van Riet reviewed Staff Report FZC-23-06 for the Board.

Applicant:

Rick Breckenridge, Breckenridge Surveying & Mapping, Technical Representative, 2302 Highway 2 E #6. He stated that the Applicant is going down the road of bringing this property into compliance and bringing things into conformity. He will have the owner address the conversations that he has had with Evergreen Sewer and Water, as they have since changed their stance on the proposal. There are a lot of nonconforming uses on the property. The applicant wants to bring it into compliance without deconstructing what is already on the property and that has been there for a number of years.

Richard Plumb, Applicant, 344 Helena Flats Road. He would like to change the zoning in order to use his property as the neighbors are using their property. He would like to bring a single mobile home onto the vacant parcel. There are already two mobile homes on the adjacent parcels. He did a boundary line adjustment to equalize the three parcels that are included in the proposal. There was a single wide that crossed the boundary line and it was serviced by a sewer line that also crossing the boundary line. He discussed the new septic system and water that has been tapped. He discussed his conversations with

Evergreen Sewer and Water. He would like to keep affordable housing in the city. The Applicant showed a map to the Board showing sewer lines and existing structures on the parcels included in the proposal.

Agency Comment: None

Public Comment: None

Applicant Rebuttal: None

[06:32:13 PM \(00:32:53\)](#)

Motion to Adopt Staff Report FZC-23-06 as Findings-of Fact

[Citizen Member - Elliot Adams: Motion](#)

[Citizen Member - Sandra Nogal: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Absent](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Approve](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Abstain](#)

[06:32:54 PM \(00:33:34\)](#)

Motion to Forward a Positive recommendation of FZC-23-06 to the Board of County Commissioners

[Citizen Member - Elliot Adams: Motion](#)

[Citizen Member - Sandra Nogal: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Absent](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Approve](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Abstain](#)

[06:33:39 PM \(00:34:19\)](#)

5.FZC-23-07 A zone change request from Sands Surveying, Inc. on behalf of Victor Workman, for property within the Highway 93 North Zoning District. The proposal would change the zoning on a parcel of land located at 1200 S. Wintercrest Drive, Kalispell, MT from *SAG-10 (Suburban Agricultural)* to *R-2.5 (Rural Residential)*. The total acreage involved in the request is approximately 5.01 acres



[Staff Report](#)



[Application](#)



[Vicinity Map](#)

Zachary Moon reviewed Staff Report FZC-23-07 for the Board.

Applicant:

Donna Valade, Sands Surveying, Technical Representative, 2 Village Loop. The Applicant agrees with the Staff Report and the Findings of Fact. She spoke to the zoning in the surrounding area. She stated that all the Applicant would like to do is split the property in half.

Agency Comment: None

Public Comment: None

Applicant Rebuttal: None

[06:37:29 PM \(00:38:09\)](#)

Motion to Adopt Staff Report FZC-23-07 as Findings-of Fact

[Citizen Member - Buck Breckenridge: Motion](#)

[Citizen Member - Kevin Lake: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Absent](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Approve](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[06:38:12 PM \(00:38:52\)](#)

Motion to Forward a Positive recommendation of FZC-23-07 to the Board of County Commissioners

[Citizen Member - Elliot Adams: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Absent](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Approve](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[06:39:06 PM \(00:39:46\)](#)

6.FPP-23-02 A request from Tri-Ventures LLC, with technical assistance from KLJ Engineering and Impact Design, for preliminary plat approval of McGregor Ridge Subdivision, a proposal to create thirteen (13) residential lots and common areas on 75.12 acres. The proposed lots would be served by individual septic systems and individual wells. The property is located along Lost Prairie Road in Marion, MT



[Staff Report](#)



[Application](#)



[Preliminary Plat Map](#)

Erin Appert reviewed Staff Report FPP-23-02 for the Board.

Applicant:

Justin Stefanik, KLJ Engineering, Technical Representative, 5240 Collins Drive. He discussed the school district's concerns and the error in the high estimate of potential students as a result of this subdivision. He discussed that the proposed lots would likely not be marketed towards young families but rather as second homes.

Agency Comment: None

Public Comment: None

Applicant Rebuttal: None

[06:46:19 PM \(00:46:59\)](#)

Motion to Adopt Staff Report FPP-23-02 as Findings-of Fact

[Citizen Member - Buck Breckenridge: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Absent](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Approve](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[06:47:03 PM \(00:47:43\)](#)

Motion to Forward a Positive recommendation of FPP-23-02 to the Board of County Commissioners

[Citizen Member - Buck Breckenridge: Motion](#)

[Citizen Member - Elliot Adams: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Absent](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Approve](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[06:47:47 PM \(00:48:27\)](#)

7.FPP-23-05 A request from TD&H Engineering, on behalf of 5150 Hwy 93S, LLC, for preliminary plat approval of Eagle Run Subdivision, a proposal to create six (6) residential lots on 36.505 acres. The proposed lots would be served by individual septic systems and shared wells. The property is located at 5150 Highway 93 S. near Whitefish, MT



Staff Report



Application



Preliminary Plat Map

Zachary Moon reviewed Staff Report FPP-23-05 for the Board.

Applicant:

Doug Kauffman, TD&H Engineering, Technical Representative, 450 Corporate Drive. He stated that this proposal is for a six-lot residential subdivision with five-acre tracts. The Proposal fits with the current zoning and is one of the simplest subdivisions we have seen in a long time. He stated that his client is amenable to the conditions outlined by staff.

Agency Comment: None

Public Comment: None

Applicant Rebuttal: None

[06:52:20 PM \(00:53:00\)](#)

Motion to Adopt Staff Report FPP-23-05 as Findings-of Fact

[Citizen Member - Sandra Nogal: Motion](#)

[Citizen Member - Elliot Adams: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Absent](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Approve](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[06:53:05 PM \(00:53:45\)](#)

Motion to Forward a Positive recommendation of FPP-23-05 to the Board of County Commissioners

[Citizen Member - Sandra Nogal: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Absent](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Approve](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[06:53:54 PM \(00:54:34\)](#)

G. Old Business

Lakeside Community Council would like to have a Workshop in June. They would like to bring a map to discuss with the Board.

The Committee for the Airport Regulatory Ordinance would like to have a Workshop in July.

[06:54:41 PM \(00:55:21\)](#)

H. New Business

Erik Mack, Planning Director, stated that he will begin working on the Strategic Work Plan for next fiscal year. Things that will be addressed in the Strategic Work Plan are the Legislative Updates, continued work on the Airport Regulatory Ordinance and Neighborhood Plans. Work will continue on the Growth Policy, maybe looking at Chapter 5, which is the Economics Chapter.

Jeff Larsen, Board Chairman, requested that the Housing Need Chapter of the Growth Policy be reviewed for any necessary updates.

[06:56:10 PM \(00:56:50\)](#)

I. Adjournment

Approved on 6/14/2023 on a Roll Call Vote 5 to 1. Stevens Abstained.